

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and ROSLYN)	
WOODARD SMITH, Individually and as)	
Administrators of THE ESTATE OF)	
HARRY SMITH, III)	
)	
Plaintiffs,)	Case No. 04-1254-GMS
)	
v.)	
)	
CITY OF WILMINGTON, JOHN)	
CIRITELLA, THOMAS DEMPSEY, and)	
MATHEW KURTEN,)	
)	
Defendants.)	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' AMENDED EXHIBIT LIST

Exhibit Number	Description	Objection	Admit	Reject
1	Photo of Harry Smith, III while living	402, 403		
2	Photo of Harry Smith, III obtained from coroner's office – showing condition of body while still clothed	402, 403		
3	Photo of Harry Smith, III obtained from coroner's office - showing handcuffs on body	402, 403		
4	Photo of Harry Smith, III obtained from coroner's office - showing bullet wounds to head and back	402, 403		
5	Autopsy report			
6	Death certificate			
7	WPD police officers' manual			

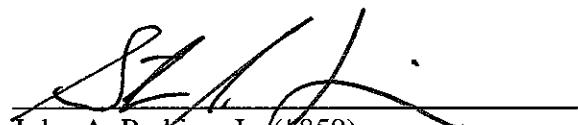
8	32 .40 caliber hollow point bullets	402, 403		
9	Receipts from funeral and burial of Harry Smith, III	402, 901		
10	WPD videotape of interview with Harry Smith, Jr. 9/13/2003	402, 403, 802		
11	WPD videotape of interviews with Saunders, Ciritella, Dempsey and Kurten	105		
12	WPD transcript of Dempsey interview	105		
13	Map of Wilmington			
14	Defendants' answer to complaint	402, 403		
15	Defendants' answers to requests for admissions	Reserved (1)		
16	Personnel file of Ciritella	105		
17	Personnel file of Kurten	105		
18	Personnel file of Dempsey	105		
19	Paramedic report			
20	Mobile Vision and MVR documents W004128; W004001-4006; 4013-4015			
21	WPD videotape from stolen police car			
22	Downtown Visions videotape			
23	Photo of 5th Street			
24	Photo of 5th Street			
25	Photo of intersection of 5th and Harrison Sts.	Reserved (2)		
26	Photo of intersection of 5th and Harrison Sts.	Reserved (2)		
27	Photo of Harrison St.	Reserved (2)		

28	Photo of Harrison St.	Reserved (2)		
29	Photo of Harry Smith, III's body on Harrison St.	402, 403		
30	Photo of police car with dowel rods	Reserved (2)		
31	Photo of police car with dowel rods	Reserved (2)		
32	Photo of police car with dowel rods	Reserved (2)		
33	Photo of police car interior - showing camera	Reserved (2)		
34	Photo of police car interior - showing key lock for shotgun	Reserved (2)		
35	Photo of police car showing bullet shell inside car	Reserved (2)		
36	Photo of scene with bullet shells	Reserved (2)		
37	Photo of scene with bullet shells	Reserved (2)		
38	Photo of scene with bullet shells	Reserved (2)		
39	Dr. Boswell's report	802, 901		
40	Exhibits from Ciritella deposition			
41	Exhibits from Kurten deposition			
42	Exhibits from Dempsey deposition			
43	Exhibits from Whitehead deposition			
44	Harry Smith, III eyeglasses and prescription	402, 802 and 901 as to prescription		
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49	Scalpel Harry Smith, III took from hospital only will be offered if evidence admitted alleging he had scalpel or other cutting tool or evidence admitted alleging carjacking			
50	WPD videotape of 1200 block of Washington Street - only will be offered if evidence admitted alleging carjacking			

Reserved (1): Defendants reserve their objection until plaintiffs specify which responses to requests for admission they plan to introduce.

Reserved (2): Defendants reserve their objection until they have seen the photographs.



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Dated: March 20, 2007

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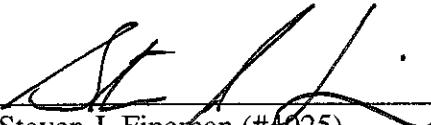
CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2007, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Kester I.H. Crosse, Esquire
Williams & Crosse
1214 King Street
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I hereby certify that I will send on March 20, 2007, by U.S. Regular Mail, the foregoing document to the following non-registered participants:

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